

AMENDMENTS TO LB 679

(Amendments to Final Reading copy)

Introduced by Council, 11.

1           1. Strike the original sections and insert the following  
2 sections:

3           Section 1. Section 43-1302, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           43-1302 ~~(1)(a) Until January 1, 2006,~~ (1) It is the  
6 intent of the Legislature that no person with a conflict of  
7 interest as described in this section shall be a member of the  
8 state board. No person or person whose spouse, parent, sibling,  
9 or child by blood or marriage is employed by or who receives or  
10 distributes funds from the Department of Health and Human Services,  
11 a child-caring agency, a child-placing agency, a court, a county,  
12 or a designated contractor of any such agency is eligible to  
13 be a member of the state board, except that a practitioner of  
14 pediatric medicine licensed under the Uniform Credentialing Act and  
15 a guardian ad litem who receives less than one-half of his or her  
16 income for such services are eligible to be members of the state  
17 board.

18           (2) The terms of members serving on the state board on  
19 the effective date of this act who have a conflict of interest  
20 as described in this section shall expire on the thirtieth day  
21 after the effective date of this act. The Governor shall make any  
22 appointments needed to have a nine-member state board that meets

1 the requirements of this section. Such appointments shall be made  
2 and qualified within thirty days after the effective date of this  
3 act. For such appointments, the terms of such members shall begin  
4 on the thirty-first day after the effective date of this act, and  
5 the Governor shall designate terms of one, two, or three years  
6 for such appointments to maintain as equal a rotation of terms as  
7 possible.

8 (3) On and after the thirty-first day after the effective  
9 date of this act: The ~~the~~ State Foster Care Review Board shall  
10 be comprised of nine members ~~to be~~ appointed by the Governor,  
11 subject to confirmation by a majority of the members elected to  
12 and confirmed by the Legislature. At least one member shall be an  
13 attorney with legal expertise in child welfare. Two members shall  
14 be At least one member shall be a guardian ad litem, at least  
15 one member shall be a practitioner of pediatric medicine licensed  
16 under the Uniform Credentialing Act, at least one member shall  
17 be a former foster parent, and six members shall be members in  
18 good standing from local foster care review boards with two from  
19 each of the three congressional districts as ~~they~~ such districts  
20 existed on January 1, 2009. ~~1982.~~ In addition to the six members  
21 representative of the congressional districts, three members shall  
22 be appointed by the Governor from a group consisting of all the  
23 chairpersons of the local boards, and one such chairperson shall  
24 be appointed from each such congressional district. The appointment  
25 of a member of a local board to the state board shall does not  
26 create a vacancy on the local board. ~~Members other than those~~  
27 appointed from the group consisting of all the chairpersons of

1 the local boards shall be appointed to three-year terms, and those  
2 members appointed from the group consisting of all the chairpersons  
3 of local boards shall be appointed to two-year terms. No person  
4 shall serve on the state board for more than six consecutive years.  
5 For any vacancy occurring prior to an expired term, the Governor  
6 shall appoint a member who meets the qualifications of his or  
7 her predecessor and such appointee shall serve out the unexpired  
8 term. Members whose terms have expired shall continue to serve  
9 until their successors have been appointed and qualified. No person  
10 employed by a child-caring agency, a child-placing agency, or a  
11 court shall be appointed to the state board.

12 (b) On and after January 1, 2006, the State Foster  
13 Care Review Board shall be comprised of eleven members appointed  
14 by the Governor with the approval of a majority of the members  
15 elected to the Legislature, consisting of: Three members of local  
16 foster care review boards, one from each congressional district;  
17 one practitioner of pediatric medicine, licensed under the Uniform  
18 Credentialing Act; one practitioner of child clinical psychology,  
19 licensed under the Uniform Credentialing Act; one social worker  
20 certified under the Uniform Credentialing Act, with expertise in  
21 the area of child welfare; one attorney who is or has been a  
22 guardian ad litem; one representative of a statewide child advocacy  
23 group; one director of a child advocacy center; one director of  
24 a court appointed special advocate program; and one member of the  
25 public who has a background in business or finance.

26 The terms of members appointed pursuant to this  
27 subdivision shall be three years, except that of the initial

1 members of the state board, ~~one-third shall be appointed for terms~~  
2 ~~of one year, one-third for terms of two years, and one-third for~~  
3 ~~terms of three years, as determined by the Governor. No person~~  
4 ~~appointed by the Governor to the state board shall serve more~~  
5 ~~than two consecutive three-year terms. An appointee to a vacancy~~  
6 ~~occurring from an unexpired term shall serve out the term of~~  
7 ~~his or her predecessor. Members whose terms have expired shall~~  
8 ~~continue to serve until their successors have been appointed and~~  
9 ~~qualified. Members serving on the state board on December 31, 2005,~~  
10 ~~shall continue in office until the members appointed under this~~  
11 ~~subdivision take office. The members of the state board shall, to~~  
12 ~~the extent possible, represent the three congressional districts~~  
13 ~~equally.~~

14           ~~(2)~~ (4) The state board shall select a chairperson,  
15 vice-chairperson, and such other officers as the state board deems  
16 necessary. Members of the state board shall be reimbursed for their  
17 actual and necessary expenses as provided in sections 81-1174 to  
18 81-1177. The state board shall employ or contract for services from  
19 such persons as are necessary to aid it in carrying out its duties.

20           Sec. 2. Original section 43-1302, Reissue Revised  
21 Statutes of Nebraska, is repealed.

22           Sec. 3. Since an emergency exists, this act takes effect  
23 when passed and approved according to law.